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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9568/2017**
VEENA JATAV

..... Petitioner

Through: Mr. Rajinder Kumar Uppal with Mr.
Lokesh Kumar, Advocate

versus

THE STATE OF NCT OF DELHI & ORS

..... Respondent

Through: Mr. Devvrat, Advocate for R-1 & 4.
Mr. Sumeet Pushkarna, Advocate for
R-2 (State Election Commission).

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **30.10.2017**

1. Issue notice.
2. Learned counsel for the respondents accepts notice.
3. The petitioner has filed the present petition, *inter alia*, praying that the Scheduled Caste certificates issued in favour of respondent nos. 5 and 6 be cancelled. The petitioner alleges that the said certificates are bogus/forged.
3. It is the petitioner's case that the Scheduled Caste certificate of respondent no. 5 was issued solely on the basis of a certificate issued by Tehsildar, Khurja, U.P to respondent no. 6, who is stated to be the brother of respondent no. 5. The petitioner claims the there was no other material on record of respondent no. 1 other than the Scheduled Caste certificate issued in respect of respondent no.6, for issuing the Scheduled Caste certificate to respondent no.5. The petitioner claims that this is irregular and not in

accordance with law.

4. It is seen that the entire purpose of the petitioner in challenging the Scheduled Caste certificate issued to respondent no. 5 is to challenge respondent no. 5's election as a member of North MCD. In so far as the petitioner's challenge to election of respondent no. 5 is concerned, no such challenge can be maintained except by filing an Election Petition in terms of Section 15 of the Delhi Municipal Corporation Act, 1957.

5. In so far as petitioner's prayer that the SC certificate issued to respondent no. 6 be cancelled, it is seen that the said certificate was issued at Khurja U.P and this court is not inclined to entertain a challenge in respect of that certificate in these proceedings. The petitioner would be at liberty to move the appropriate court for such relief.

6. Insofar as the challenge to the SC certificate issued to respondent no. 5 is concerned, the Chief Secretary, Government of NCT of Dehli, is directed to examine whether the Scheduled Caste certificate issued to respondent no.5 was in accordance with law within a period of four months. If it is found that the requisite procedure was not followed, the Chief Secretary, GNCTD will ensure that the concerned authority takes the necessary action in accordance with law.

5. No other order is required to be passed in this petition and the same is disposed of.

VIBHU BAKHRU, J

OCTOBER 30, 2017/nd